

November 28, 2006

RE: Michigan House Bill No. 5267

The bond between a parent and child is the most significant relationship in a child's life. Having grown up in a household with two loving parents, I can testify that both parents have influenced the person I have become today. I couldn't even imagine not having one of them in my life, and I am lucky enough to have grown up with their support and love. Many children are not as lucky. In Michigan, many children grow up not knowing their father as well as they should. When parents divorce or separate, custody is automatically given to the mother; unless it is proven that she is unfit. The father goes from being part of his child's life, to being reduced to the role of a visitor. The courts don't review what is best for the child. If both parents are deemed fit, they should both play an equal part in their child's life. Both should be able to have input on decisions regarding the child's life, such as schooling, religion, medical care, and legal matters. However, in most cases, a father is forced out of that role, into a place where he is watching from the outside, looking in. He has no say in most matters. A father will have to have full proof that the mother is unfit to gain even half custody at times. However, it is so easy for the mother to manipulate her way into taking their child out of the father's life. She only has to mention the words "I'm uncomfortable" with the father or his family, regardless of the actual situation, and the child is automatically given to the mother. Often, this is done without verification of the mother's claim or even a counter-argument made by the father. If a father makes those accusations, he is often laughed at or taken lightly. Unless he has proof of something, he is not awarded custody.

I know that if someone were to ask a child, "Who is your hero?", many would answer "their parents", or "mother", or "father". I have been lucky enough to see someone close to me be viewed as a hero to his son, my brother. Even though his child is just beginning to talk, I can see it in his actions, his behavior, and his eyes that his dad means the world to him. I can already tell that he is in love with him, in love spending time with him, and in love with learning things from him. The thought of his own son being torn out of his life kills me inside. But, what is even more heart wrenching is the thought that his son has no say. He can't talk yet, so he has no clue what's going on around him. He can't have a voice in the matter. Decisions are made for him because he is too young to speak his mind. However, if anyone would watch them together for 5 minutes, they would know what I know; the child wants to be with his father. And his father is one of the most loving, supporting fathers I've known. Their love for each other is so strong, and both think the other person is the best thing in the world.

If a father is a fit parent, one that is full of love, one that would do anything for their child, and one that can support the child, custody should be automatically split between both parents. The only reason custody should sway to one party or the other is if it can be proven that either parent is unfit. This, I feel, is the only way to protect the rights of the child. To limit how much a fit father is allowed to see his child, is not only hurting the father, but most importantly, is hurting the child. It forces a child to live by a schedule of when to see his father. The child grows up thinking of his father as a visitor, not his father. And he or she doesn't know any better; this has been instilled in them since the parents separated. The forceful separation between father and child is especially unfair in instances where the child is too young to voice his or her opinion in the matter, or too young to understand what is going on.

Fathers are told from society, "give up, you can't win", when it comes to child custody cases. Even lawyers, who fight for equal parenting rights or father rights, tell their clients that they can't win. They are basically told not to fight, that it will only drain their bank account more by

putting up a fight for custody. It will only cause them to ride the emotional roller coaster longer. They have to go through evaluators who are supposed to objectively review their case prior to the court, with a fair-minded attitude. If they show any type of emotion in the form of anger, they will be viewed as a hazard to the child. They must basically sit numb to the fact that their child is being taken away from them unjustly. It's no wonder some show anger, their own child is being taken out of their life. But no, for most, it's best to just sit and act like it's okay, so that the evaluator doesn't view you as a hazard. This, in turn, creates an image that fathers don't care, or don't care as much as the mother, for their child. In all the cases I have known, this is untrue. It's not that they don't care; it's that they don't have a choice. I am so proud that my brother has hung in there – through all the abusiveness of the current family court system, through the false accusations, the parental alienation. I hope that his strength will continue, setting an example for other father's fighting for their parental rights.

I think it is in the best interest of the child to allow both parents to be a part of the child's life, equally, if both are deemed fit. I support House Bill No. 5267 to amend the Child Custody Act of 1970, and I urge you to do the same. Michigan children deserve an updated child custody law. Currently, when parents get divorced or separate, it turns into a war of mom versus dad. The word "versus" signifies two adverse parties at opposite ends of a spectrum. However, what the court fails to understand is there is in fact a third party caught up in this state sanctioned 'war'. That third party is the child. A child should have equal access to both parents, the right to be guided and nurtured by both parents, and the right to have major decisions made by the wisdom, judgment, and experience of both parents. Under the current system, the child must forfeit these rights when the parents divorce or separate.

Michigan House Bill 5267 will allow our state's children the opportunity to spend equal time with both fit parents. The best way to protect children from the stresses of parental divorce and separation is to ensure a strong relationship with both parents (when both are fit) through balanced, equal amount of time with both. This arrangement most closely mirrors an intact family, which both common sense and research shows is the best situation for children. I urge you to support this bill and make this extremely important change.

Thank you for your time,



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